

Frankfort Architectural Review Board

July 17, 2007

Members Present: Roger Stapleton
Charles Booe
Donald Perry

Members Absent: Andy Casebier
John Downs

There being a quorum, the meeting proceeded.

The first item of business was approval of the June 19, 2007 minutes. Mr. Booe made a motion to approve the minutes. The motion was seconded by Mr. Perry and carried unanimously.

The first item of business on the agenda was a request from Robert & Rose Polsgrove for a Certificate of Appropriateness and setback determination to expand and enclose an existing side yard porch for the principal structure located at 501-503 Wapping Street, zoned "SH" Special Historic District.

Maya DeRosa, City Planning Supervisor was present for the staff report. She went over a slide show detailing the property. Ms. DeRosa explained that the applicant is requesting a Certificate of Appropriateness to extend a side porch 50 square feet. The new porch will be built on an existing stone wall and the porch will be closed in with a wall of siding and windows matching the material and style of the existing elevation. The roofs slope on the addition will match the slope of the existing roof and they will add new half round gutters. The proposal would extend 5 feet into a side yard with an existing 20 foot measured from the existing side porch since no established setbacks has been identified for this zoning district, it is up to the Board to make a determination of whether or not the new 15 foot setback is appropriate for the site. Based on the proposal and a review of other setbacks in the general vicinity, staff recommended approval of the 15 foot side yard setback with 4 conditions; 1) the color scheme of the new side yard porch addition shall be painted to match the existing home; 2) the new half round gutters shall be painted to match the existing gutters on the west elevation; 3) the size of the new wood windows on the porch addition shall match the size of the windows on the west elevation; and 4) any other exterior changes to the property that does not qualify for the issuance of a certificate of No Exterior Effect will require the issuance of a Certificate of Appropriateness. Mr. Perry asked if the new flood maps would affect this area. Mr. Mueller replied that according to the new flood maps, this property will be located in the 500 year flood plain.

Mr. Polsgrove, 503 Wapping Street was present and stated that he had no other testimony but that he felt like the proposal was compatible with the neighbors and the neighborhood.

Mr. Perry made a motion to approve the request with the conditions listed in the staff report. The motion was seconded by Mr. Booe and carried unanimously.

The next item of business was a request from Dan and Anne Green for 1) a Certificate of Appropriateness to install white vinyl shutters and replace the existing gutters; and 2) a setback determination for a deck on the rear of the structure located at 116 West Fourth Street, zone "SC" Special Capital District.

Justin Evilsizor, City Planner was present for the staff report. Mr. Evilsizor went over a slide show detailing the property. He explained that the proposal includes installing white vinyl shutters on the windows, replace portions of the half round gutters that have deteriorated with modern guttering components, and legalize an existing deck, 40-feet in width and 12-feet at its greatest depth, along the rear of the structure. Mr. Evilsizor stated that Article 17.10 text requires that shutters should look as though they could close and cover the windows. The applicant is proposing 14 inch gutters and that does not allow coverage. He also stated that the gutters and downspouts were required to be half round gutters. Staff made their recommendation in 3 parts 1) Certificate of Appropriateness - Gutters - staff recommended denial of the request based on the negative finding of 4C in Section 17.10 of the Zoning Ordinance; 2) Certificate of Appropriateness – Shutters – staff recommended denial, based on the negative finding of 6C in Section 17.10 of the Zoning Ordinance. However, if the applicant were to propose shutters that adhered to the dimensional requirements to give the impression that the shutters were operational, staff would change its recommendation; and 3) Setback determination – Deck – staff recommended approval of the request for a 65-foot rear yard setback with the following conditions: a) the size of the deck shall not exceed 40'x12', and shall not extend into either the east or west yards beyond the principal structure.

Ms. Green was present and she stated that they completed a survey of the area and they feel like what they are proposing is in line with the neighboring properties. She stated they simply want to make repairs and appreciate the board's consideration. Mr. Stapleton asked if she had priced half round gutters. She replied no because she wasn't sure where she could purchase them. Mr. Stapleton explained that there were some places in Lexington and Louisville that sell half round gutters.

Mr. Booe made a motion to approve the deck and setback of 65 feet and to approve the gutters as proposed with the conditions listed for the deck on page 12 of the staff report that the size of the deck shall not exceed 40' x 12', and shall not extend into either the east or west yards beyond the principle structure. Concerning the shutters he recommended administrative approval of the shutters should they be available in a larger size or if the applicant finds that no shutters to meet the requirements. The motion was seconded by Mr. Perry and carried unanimously.

The next item of business was a request form Two Turns Holding Company for 1) a Conditional Use Permit to convert a six (6) existing apartment into three (3) condominiums; 2) a Certificate of Appropriateness to construct a 3 level rear addition porch with elevator; restore the exterior façade; and install a new driveway with parking at the rear; and 3) a setback determination for the new addition and

parking area on the rear of the site for the principal structure located at 128 State Street, zoned "SC" Special Capital District.

Maya DeRosa, City of Frankfort Planning Supervisor was present for the staff report. Ms. DeRosa stated that the property was near the Capital and went over a slide presentation detailing the property. Ms. DeRosa stated that the proposal is to convert a 3-level, 6-unit apartment building into 3 condominium units, make various repairs to the exterior front façade and to remove the existing back porch/stairs and replace it with a new rear porch and elevator. She stated that an existing easement along the rear of the property will provide access to 4 new parking spaces behind the building and that the basement is to be a common area/storage for the three units. The proposed rear porch addition will require the board's determination of an appropriate setback from the property line. Exterior changes include painting the red brick white, restoring the wood rails on the porch, remove the false canopy, rear elevation changes, remove exterior stairs, remove one window on levels 1 - 3, the single wood windows will be replaced with vinyl and extend the existing addition to the back façade using a hardi board type of siding, and pour a new foundation. Staff recommended approval of the Certificate of Appropriateness of the applicant's request for the construction of a 3 story rear porch addition along the north elevation and other exterior alterations to the principal structure located at 128 State Street with the conditions noted in the staff report. Staff recommended approval of a 41-foot rear setback for the addition. Staff also recommended that the request for a Conditional Use Permit for a 3 unit condominium be approved with the conditions noted in the staff report. Mr. Booe asked why they want to paint the brick. Ms. DeRosa deferred the answer to the property owner, Finn Green. Mr. Green stated they want to paint the house white because the house next to it is white and there are some issues on the back of the building which will require sealant so they thought they would have to paint to cover the repairs.

Finn Green of Two Turns Holding Company and Vanmeter Petit project architect, were present for the case. Mr. Green stated that they had no further testimony. He said they appreciated working with staff and agreed with the recommendations. Mr. Perry asked why they want to paint the brick. Mr. Petit, replied that the brick on the back of the structure is in bad condition so they were going to stabilize the back, and they were going to remove the brick and replace it with Hardi Board siding. Mr. Perry asked about the additional parking. Mr. Petit replied that they understood that the change to condominiums required off street parking. Mr. Perry asked staff what parking is required. Mr. Muller, City of Frankfort Planning Director stated that with multifamily residences and condominiums they are required 2 spaces per unit but in the "SC" Special Capital District, they are required only half the spaces which in this case would be three spaces.

Paul Looney, 122 W. State Street was present and went over a slide presentation giving a history of the subject property and the properties nearby. He stated that he was concerned about the four parking spaces in the rear of the property. He is concerned about what it would look like and the accessibility of the easement. He being a licensed engineer did some calculations of the proposed parking lot and the turn radius and he wasn't sure it would work. He asked Mr. Muller about it and Mr. Muller replied that it would be tight but it was allowed by code. He also had concerns about

the landscape, the ground cover and exterior lighting. He asked if parking would be for residents only or will visitors be permitted to park there. Another concern he had was whether or not the existing trees would be affected by the parking lot. The applicants replied to the concerns; 1) ground cover- they plan to use lattice pavers in order to keep it as close to what it is and to allow for storm water; 2) landscape- they have no design or intent to damage or remove the existing trees; 3) lighting - full time lighting would be the standard so people feel safe entering/exiting at night; 4) parking is intended for residents only; concerning the ease of accessibility they intend to place signs to not block the driveway. Natalie Looney, 122 W. State Street was present and stated that she is not in favor of the parking because it would change the atmosphere. She is also concerned about the trees and she is not in favor of painting the building, she said if the paint is not kept up it could look worse. She asked for clarification on the railings and the proposal to remove the canopy cover and she wanted to know what the foundation would look like, whether or not it would be covered or poured concrete. She questioned the location of the heat pumps and suggested that there be a stipulation that the condos be owner occupied. The applicants responded to her concerns, 1) the railing will be 42 inch painted steel for life, safety and welfare, they don't believe will degrade the same way as wood; 2) the canopy covers were a fad of the 1950's and 60's and don't maintain the character of the structure; 3) the stone on the back of the structure is bowing as a result they have planned a solid pour foundation to keep it from collapsing; 4) The location of the heat pumps has not been determined yet but he imagines they will be somewhere close to where they are now, he said it hasn't been determined yet how many units will be required but they are happy to work with staff on that issue, 5) They intend the units to be owner occupied but know that the area is a rental area and they can't be sure what will be done after the new owner takes over; and 6) they don't intend to remove the existing trees. Jim Sullivan, 120 State Street was present and stated that he is very opposed to the proposed parking plan, he said they entertain a lot and a parking lot would change the atmosphere. He stated that they use the easement to access the back of their property to trim and remove trees or access their basement and a parking lot would limit the access.

After discussion Mr. Perry made a motion to approve the Certificate of Appropriateness with the conditions listed in the staff report for the three story porch 1) new Hardi Board siding to be painted to match the existing brick and the hardi board is to stop at the addition point, do not cover the brick; 2) the hardi board shall not have a molded or stamped design which indicates a wood grain. Removal of conditions 3 and 4; 5) any other exterior modifications not in this report shall obtain another Certificate of Appropriateness; 6) The exterior lighting shall confirm to standard 11.04.1A. The motion was seconded by Mr. Booe and carried unanimously.

Mr. Perry made a motion to approve a 41 foot rear setback. The motion was seconded by Mr. Booe and carried unanimously.

Concerning the parking, there was some discussion on how to make the parking conforming and creating one handicap spot in the rear. Mr. Booe asked the applicant if the parking and the elevator are essential to the project. The applicant replied that yes they are essential. After more discussion concerning the parking, the applicant proposed that the board consider tabling the issue of parking, but grant the

issuance of a building permit so that they can start working, then he will work with the staff and neighbors to come up with a satisfactory solution that is within the ordinances. Mr. Stapleton made a motion that they recommend the Conditional Use Permit based on the findings, approval with the conditions; 1) a building permit for the change of use is required for 128 State Street; 2) Conditional Use is permitted to only 128 State Street; 3) Conditional Use is granted to Two Turns Holding Company a 3 unit condominium; 4) Conditional Use is not transferable and any change in use will make this approval null and void; 5) Any signs at this location shall conform with any and all regulations of the City of Frankfort Zoning Ordinance and a Sign Permit shall be issued prior to installation; 6) A final plat reviewed and approved by the City of Frankfort will be required prior to the issuance of a building permit; 7) The allowed uses for this site are restricted to those uses as identified on the final plat; 8) Any exterior change to the property that does not qualify for the issuance of a certificate of No Exterior Effect will require the issuance of a Certificate of Appropriateness; 9) The basement shall be used solely for the common area/storage for the three residential condominium units. The motion was seconded by Mr. Perry and carried unanimously.

Mr. Stapleton made a motion to table all the issues in regards to the parking until the next meeting, so that staff, the applicant and the neighbors will have the opportunity to discuss further. The motion was seconded by Mr. Booe and carried unanimously.

The next item of business was a request from Save the Grand Theatre for 1) a Certificate of Appropriateness to renovate the first floor façade of 308 St. Clair Street, remove the former storefront at 310 West Main Street and replace with masonry and construct a 2,450 square foot addition in the rear of 310 West Main Street; 2) a setback determination for the rear of 312 West Main Street; 3) an amendment to an ARB condition for access through plywood doors on the 310 West Main Street façade after July 1st, 2007; 4) a variance to allow a replica of a 1941 sign board which covers approximately 14% of the facade area on the West Main Street elevation; 5) a variance to exceed the allowable lot coverage; 6) a Certificate of Appropriateness to allow the demolition of a rear addition to the Hendricks Building at 312 West Main Street; and 7) a height determination for the new addition (approximately 52 feet tall) at the rear of 312 West Main Street, zoned "CB" Central Business District.

Maya DeRosa, City of Frankfort Planning Supervisor was present for the staff report. Ms. DeRosa went over a slide presentation detailing the property and the proposed changes. Ms. DeRosa stated that one thing the board will notice is that the property currently exists in multiple lots, she went on to say that the applicant has concurrently filed an application for a consolidation plat creating one large parcel. Ms. DeRosa stated that she was going to break this down into various areas that follow the staff report starting with the Certificate of Appropriateness 308 St. Clair. She showed a slide of the existing condition of the building and passed out sample materials to be used on the ticket window and the façade, she stated that the overall intent was to replicate a popular style from the 1940's known as Stream Line Modern which includes a lot of glass. The Certificate of Appropriateness for 310 and 312 West Main Street, Ms. DeRosa stated that this is the side where you have the current plywood boards, the Hendricks building is in good condition no changes are proposed for the second story.

The only change proposed is the addition of a sloping handicap ramp. She went over some slides showing the elevations and mentioned the rear addition of the circulation building which is essentially the stairway and elevator required for the Grand Theater which is a state code. She stated that staff has concerns with the massing in scale in relation to not only the Hendricks building but also adjacent buildings and if the adjacent parking structure should be demolished at a future date. She described the new façade from Madison Street and stated that staff has concerns about the materials to be used.

Another item she discussed was the future demolition of the City Parking Garage. She noted that there is currently a fire escape that exits to the third floor of the parking structure. Should the parking garage go away, the applicant will extend a ladder over the wall seven feet above grade to provide that alternative access.

Ms. DeRosa discussed the setback and height determination, this is currently 15-feet 10-inches to parking structure wall and the applicant is proposing a zero setback. She went on to say the other part of the proposal is the height, she believes the height limit in the district is 40 feet and that there are a variation of building heights of 90 feet, 46.5 feet and 26 feet. She said the addition would be visible on the back and that is where staff has the scale and height concerns therefore staff is recommending denial on the height.

Ms. DeRosa stated the third part is a modification to an ARB condition. The current condition that was approved in March says the plywood shall be painted to match metal doors, plywood may be removed daily, and shall be secured daily until July 1, 2007 of which time the plywood shall not be allowed to be removed daily. Ms. DeRosa stated that staff is supportive of the applicants intent to remove the plywood boards and restore the façade to masonry. However they do have some conditions that they would like that to occur and those are articulated in her report.

The next item Ms. DeRosa mentioned was the demolition of a non-historic addition to the Hendricks building. The addition was built in 1991 and staff has no problem with the demolition since there would be no loss of historic materials.

Ms. DeRosa mentioned the request for variances for lot coverage and signage. Related to the signage, Ms. DeRosa showed a slide of what the sign would look like and where it would be located. They are proposing a 188 square feet wall sign which covers 14% of the façade. The code only allows 5% coverage in "CB" district. They would also like for the sign to be illuminated which requires a modification to the planning commission.

Concerning the lot coverage, currently the site covers 94%. With the addition of the circulation building it will be 98% coverage, and the "CB" district requires a maximum of 80%. Since this is an urban area/urban core staff found that to extend the lot coverage to what they are asking for would still be acceptable within the parameters of other historical precedence in the historical district.

Ms. DeRosa made the following recommendations: 1) Concerning the façade changes at 308 St. Clair, 310 and 312 West Main and the handicap ramp not

including the addition to 312 West Main, staff recommends approval with conditions; 2) Concerning the addition to the back of the Hendricks building based on concerns she articulated in the report and presentation staff recommends denial to allow the 3 level addition to the rear primarily based on the scale, height and the exterior finish. Staff finds that if the applicant could reduce the addition to 2 levels and propose an alternative exterior finish, then they may be able to support this request; 3) Regarding the setback and height determination staff recommends approval of a zero foot rear setback and regarding the height staff recommends denial based on incompatibility with adjacent uses specifically other buildings on the site; 4) Related to the modification to the ARB condition, staff has a timeframe of December 1, 2007 that they find would be an acceptable amount of time for the construction to take place and for the opening to be secured with brick; 5) On the demolition staff recommends approval; 6) On the lot coverage staff recommends approval of 98%; 7) On the variance for the wall sign staff recommends denial and they have an alternate should the ARB make positive findings the sign shall not be internally illuminated unless a modification is granted by the planning commission and to any exterior internal illumination from the sign shall be turned off within the same timeframe as the existing theater marquee sign.

Bill Cull, Board Member of Save the Grand Theater and the Architect Steve Brown were present on behalf of Save the Grand Theater. Mr. Stapleton stated that without site line drawings, he didn't feel there was a way they can make a ruling on this project at this stage. He stated they would need this information anyway to receive proper tax credits and asked if tabling the item would negatively impact the project and could they provide that information by the next meeting so the board could see all the details. Mr. Cull replied that they don't believe that this addition in the back is visible. He stated that there are several buildings downtown that have this higher for their stairwell and elevator and he doesn't think there is any way to avoid doing this. He went on to say they think the only place this will be visible from is the alley and they think this could be approved tonight going thru the various items. After some testimony and discussion a motion was made by Mr. Stapleton to table item for the next meeting and it will be the first on the agenda. The motion was seconded by Mr. Perry and carried unanimously.

Mr. Booe made a motion to adjourn. The motion was seconded by Mr. Perry, the motion carried unanimously.